

STATE CORPORATION COMMISSION

AT RICHMOND, APRIL 13, 2020

Document Control Center 04/13/20@8.15 AM

APPLICATION OF

APPALACHIAN POWER COMPANY

CASE NO. PUR-2020-00015

For a 2020 triennial review of its base rates, terms and conditions pursuant to § 56-585.1 of the Code of Virginia

ORDER FOR NOTICE AND HEARING

On March 31, 2020, Appalachian Power Company ("APCo" or "Company") filed an application ("Application") with the State Corporation Commission ("Commission"), pursuant to § 56-585.1 A 3 of the Code of Virginia ("Code") and the Commission's Rules Governing Utility Rate Applications and Annual Informational Filings¹ ("Rate Case Rules"), for a triennial review of the Company's rates, terms and conditions for the provision of generation, distribution and transmission services.²

APCo states that, for the combined 2017, 2018 and 2019 test years ("Triennial Earnings Test Period"), the Company earned an 8.24% return on common equity ("ROE") on its

¹ 20 VAC-5-201-10 *et seq.*

² On February 21, 2020, the Company, pursuant to 20 VAC-5-201-10 E of the Commission's Rate Case Rules, filed a Request for Waiver of certain information required by the Rate Case Rules in connection with the Company's Application. The Commission issued an Order Granting Waiver on March 3, 2020, docketing the case; granting the Company's request for waiver of the requirements in Schedules 6 and 7 to provide hard copies of Securities and Exchange Commission Reports and comparative financial statements; granting the Company's request for temporary waiver of 20 VAC 5-201-50 A 6; and granting the Company's request for waiver of the requirement in 20 VAC 5-201-90 that the Company file as part of Schedule 33 information about the costs of individual outages, and requiring the Company to file Schedule 33 in accordance with the protocol developed by the Company and Commission Staff in Case No. PUE-2009-00030. *See Application of Appalachian Power Company, For a 2020 triennial review of its base rates, terms and conditions pursuant to § 56-585.1 of the Code of Virginia*, Case No. PUR-2020-00015, Doc. Con. Cen. No. 200310070, Order Granting Waiver (Mar. 3, 2020).

generation and distribution operations on a Virginia jurisdictional basis,³ relative to the allowed ROE of 9.42% approved by the Commission in Case No. PUR-2018-00048.⁴ The Application states that pursuant to Code § 56-585.1 A 8, the Company's earned ROE during the Triennial Earnings Test Period is compared to a 140-basis-point band around the authorized ROE of 9.42%, from 70 basis points below 9.42% to 70 basis points above 9.42%.⁵ The Application states that if the Company's earnings fall within that 140-basis-point band, the Code does not permit the Company to request, or the Commission to direct, a change in the Company's base rates.⁶ The Application further notes that Code § 56-585.1 A 8 states that if earnings fall below the 140-basis-point band during the Triennial Earnings Test Period, "the Commission shall order increases to the utility's rates necessary to provide the opportunity to fully recover the costs of providing the utility's services and to earn not less than such fair combined rate of return, using the most recently ended 12-month test period as the basis for determining the amount of the rate increase necessary."⁷

The Company states that its calculated earned return of 8.24% during the Triennial Earnings Test Period is equivalent to \$23.6 million in pre-tax earnings below 8.72%, the bottom

³ APCo states that the individual test year Virginia jurisdictional earnings test results were an 11.36% earned ROE for 2017, a 9.84% earned ROE for 2018, and a 3.78% earned ROE for 2019. Application at 7.

⁴ *Application of Appalachian Power Company, For the determination of the fair rate of return on common equity to be applied to its rate adjustment clauses*, Case No. PUR-2018-00048, Doc. Con. Cen. No. 181120212, Final Order (Nov. 7, 2018).

⁵ Application at 6.

⁶ *Id.*

⁷ *Id.* at 6-7. Code § 56-585.1 A 8 a.

of APCo's authorized ROE band for the Triennial Earnings Test Period.⁸ The Company states that this shortfall in earnings is due to: (1) the recordation of an expense in December 2019 related to the remaining Virginia jurisdictional share (\$88.3 million) of certain coal generating assets that were retired early; (2) the expense of \$32.6 million in costs associated with severe weather events; and (3) the expense of \$33.7 million in costs associated with projects that the Company asserts were necessary to comply with laws and regulations related to coal combustion by-product management.⁹ The Company proposes to recover the \$23.6 million earnings shortfall over the three years that rates set in this proceeding will be in effect, *i.e.*, 2021-2023.¹⁰

Based on the Company's rate year analysis, APCo requests an increase in its annual revenue requirement in the amount of \$65 million – a 5% increase to overall revenues – which includes the \$23.6 million in earnings below 8.72%, the bottom of APCo's authorized ROE band for the Triennial Earnings Test Period.¹¹ The requested \$65 million increase comprises a \$26.9 million decrease in the generation function and a \$91.9 million increase in the distribution function.¹² The Company states that current rates were set based on a 2010 test year, and it is necessary to reallocate revenue across the generation and distribution functions based on the Company's Class Cost of Service Study.¹³ The requested revenue increase also reflects, among

⁸ Application at 7.

⁹ *Id.* at 8.

¹⁰ *Id.* at 9.

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

other things, APCo's requested authorization of a ROE of 9.90%¹⁴ and proposed new depreciation rates for its steam, hydraulic and other generation production plant, as well as its transmission, distribution and general property.¹⁵

The Company states further that the proposed revenue allocation eliminates an interclass subsidy existing in the generation function and allocates distribution function revenues to the classes so that all classes except LPS (Industrial) receive an equal percentage increase of 6.5%.¹⁶ APCo states that "[t]he net effect is that Industrial rates are unchanged in the aggregate, but no longer subsidize other classes with regard to the generation function, which is important for the economic competitiveness of the region."¹⁷ The Company states that the requested revenue requirement would result in an increase in residential rates of 6.5% over the rates that are in effect as of March 31, 2020, resulting in a bill of \$120.40 for a residential customer using 1,000 kilowatt-hours ("kWh") of electricity.¹⁸

APCo's Application includes a proposed new rider that, according to the Company "will give the Commission the flexibility and control to manage the Company's recovery of the costs associated with its remaining coal-fired generation units, the Amos and Mountaineer plants (the Coal Amortization Recovery Rider, or 'Rider CAR')."¹⁹ The Company states that Rider CAR will allow for accelerated plant balance recovery, the total amount of which would be adjusted

¹⁴ *Id.* at 11.

¹⁵ *Id.* at 15.

¹⁶ *Id.* at 9-10.

¹⁷ *Id.* at 10.

¹⁸ *Id.*

¹⁹ *Id.* at 12.

annually, "as well as a real time reduction to the return on rate base component of the Company's rates through monthly deferral accounting."²⁰

For several customer classes, the Company's Application requests approval of various changes to its current rate design, tariffs and terms and conditions of service, which the Company states are needed in order to send better price signals within a customer class, clarify customer obligations and reflect the costs incurred to provide service.²¹ These proposed changes include, among other things, the following: (1) an increase in the Residential Basic Service Charge, which collects customer-related fixed costs, from \$7.96 to \$14.00;²² (2) a new winter heating block rate for residential customers who use more than 1100 kWh per month during the months of December through February;²³ (3) a new optional residential rate schedule, called Schedule Smart Demand or Schedule R.S.-S.D., which would be available to any customer with an installed Advanced Metering Infrastructure ("AMI") meter and which uses a three-part rate structure with a monthly service charge, on-peak and off-peak kWh energy charges, and an on-peak kilowatt demand charge;²⁴ (4) a new optional residential rate schedule, called Residential Smart Time of Use, or Schedule R.S.-S.T., which would be available to any customer with an installed AMI meter and which uses a three-part rate structure with a monthly service charge, on-

²⁰ *Id.* See also Prefiled Direct Testimony of Alex E. Vaughan ("Vaughan Direct") at 12-14.

²¹ Application at 16.

²² *Id.* at 17-18. See also Prefiled Direct Testimony of William K. Castle ("Castle Direct") at 8-9; Prefiled Direct Testimony of Katharine I. Walsh ("Walsh Direct") at 9-16.

²³ Application at 18. See also Castle Direct at 9-10; Walsh Direct at 9-13.

²⁴ Application at 18-19. See also Walsh Direct at 17-18.

peak and off-peak kWh energy charges, and critical on-peak kWh charge;²⁵ (5) modifications to Rate Schedule Advanced Time-of-Day, or Schedule ATOD;²⁶ (6) modifications to its peak shaving (demand response service) rider, Rider D.R.S. (and closing of Rider D.R.S. - RTO Capacity);²⁷ (7) a modified Standby Service Schedule, Schedule S.B.S.;²⁸ (8) a new AMI Opt-Out Provision;²⁹ (9) modifications to the Company's existing Economic Development Rider;³⁰ (10) shifting of all transmission costs from base rates to the Company's existing Transmission Rate Adjustment Clause ("T-RAC") rider;³¹ (11) elimination of Rider R.P.R. (which allows customers to purchase Renewable Energy Certificates ("RECs") from the Summersville Hydro Facility), due to the Commission's approval of Rider R.E.C. in 2018, which allows customers to purchase less expensive RECs;³² (12) elimination of Rider E.R.C.R.S., which was authorized in 2007 to recover costs associated with the installation of environmental controls on certain coal plants, as those costs have been largely recovered;³³ and (13) elimination of the Large General Service Schedule ("LGS") and consolidation of the few remaining LGS

²⁵ Application at 19. *See also* Walsh Direct at 18-20.

²⁶ Application at 19. *See also* Vaughan Direct at 15-17.

²⁷ Application at 20. *See also* Vaughan Direct at 6-11.

²⁸ Application at 20. *See also* Vaughan Direct at 14-15.

²⁹ Application at 21. *See also* Prefiled Direct Testimony of Eleanor K. Keeton ("Keeton Direct") at 3-5.

³⁰ Application at 21. *See also* Prefiled Direct Testimony of Jennifer B. Sebastian ("Sebastian Direct") at 7-8.

³¹ Application at 21-22. *See also* Sebastian Direct at 3-4. Currently, the Company recovers its transmission charges through a combination of base rates and the T-RAC. The Company states that the proposed change "does not change overall rate recovery and is revenue neutral for customer classes and individuals." Application at 22.

³² Application at 22. *See Application of Appalachian Power Company, For approval to implement a renewable energy rider, Rider R.E.C.*, Case No. PUR-2017-00160, 2018 S.C.C. Ann. Rept. 308, Final Order (Apr. 12, 2018).

³³ Application at 22.

customers into the General Service Schedule.³⁴ The Company also proposes several changes to its Terms and Conditions to clarify and update policies and provisions, and to make changes to customer fees to reflect the Company's costs, the latter of which would produce approximately \$500,000 in incremental annual revenue.³⁵

The Company states that under its proposed residential rate design changes (including the proposed increased Basic Service Charge and new winter heating block rate), residential customers who use less energy would generally see a greater percentage increase than customers who use more energy.³⁶ The Company states that its proposals would better reflect the underlying cost of service, levelize customers' bills over the year, and reduce the burden on customers who heat their homes with electricity, including a large number of APCo's customers who receive energy assistance.³⁷ According to the Company, even with the requested revenue increase, customers who use electricity to heat their homes can expect, on average, to experience a decrease in their December – February bills as a result of the proposed residential rate design changes.³⁸

Finally, simultaneously with the filing of its Application on March 31, 2020, the Company also filed a Motion for Protective Order along with a proposed protective order requesting that the Commission establish procedures designed to protect from public disclosure the Company's confidential and commercially sensitive information.

³⁴ See Walsh Direct at 20.

³⁵ Application at 22-23. See also Keeton Direct at 5-9.

³⁶ Application at 10.

³⁷ *Id.*

³⁸ *Id.*

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that the Company should provide public notice of its Application; a hearing should be scheduled for the purpose of receiving testimony and evidence on the Company's Application; a procedural schedule should be established to allow interested persons to file written or electronic comments on the Company's Application or to participate in this proceeding as a respondent; and the Commission's Staff ("Staff") should be directed to investigate the Application and to file testimony and exhibits containing its findings and recommendations on the Company's Application.

The Commission further takes judicial notice of the ongoing public health emergency related to the spread of the coronavirus, or COVID-19, and the declarations of emergency issued at both the state and federal levels.³⁹ The Commission has taken certain actions, and may take additional actions going forward, that could impact the procedures in this proceeding.⁴⁰ Consistent with these actions, in regard to the terms of the procedural framework established below, the Commission will, among other things, direct the electronic filing of testimony and

³⁹ See, e.g., Executive Order No. 51, Declaration of a State of Emergency Due to Novel Coronavirus, COVID-19, issued March 12, 2020, by Governor Ralph S. Northam. See also Executive Order No. 53, Temporary Restrictions on Restaurants, Recreational, Entertainment, Gatherings, Non-Essential Retail Businesses, and Closure of K-12 Schools Due to Novel Coronavirus (COVID-19), issued March 23, 2020, by Governor Ralph S. Northam, and Executive Order No. 55, Temporary Stay at Home Order Due to Novel Coronavirus (COVID-19), issued March 30, 2020, by Governor Ralph S. Northam.

⁴⁰ See, e.g., *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Electronic Service of Commission Orders*, Case No. CLK-2020-00004, Doc. Con. Cen. No. 200330035, Order Concerning Electronic Service of Commission Orders (Mar. 19, 2020); *Commonwealth of Virginia, ex rel., State Corporation Commission, Ex Parte: Revised Operating Procedures During COVID-19 Emergency*, Case No. CLK-2020-00005, Doc. Con. Cen. No. 200330042, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (Mar. 19, 2020); *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Electronic service among parties during COVID-19 emergency*, Case No. CLK-2020-00007, Doc. Con. Cen. No. 200410009, Order Requiring Electronic Service (Apr. 1, 2020).

pleadings unless it contains confidential information, and require electronic service on parties to this proceeding.

Accordingly, IT IS ORDERED THAT:

(1) All pleadings, briefs, or other documents required to be served in this matter should be submitted electronically to the extent authorized by Rule 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice and Procedure ("Rules of Practice").⁴¹

Confidential and Extraordinarily Sensitive information shall not be submitted electronically and should comply with 5 VAC 5-20-170, *Confidential information*. For the duration of the COVID-19 emergency, any person seeking to hand deliver and physically file or submit any pleading or other document shall contact the Clerk's Office Document Control Center at (804) 371-9838 to arrange the delivery.

(2) Pursuant to 5 VAC 5-20-140, *Filing and service*, of the Commission's Rules of Practice, the Commission directs that service on parties and the Staff in this matter shall be accomplished by electronic means. Concerning Confidential or Extraordinarily Sensitive Information, parties and the Staff are instructed to work together to agree upon the manner in which documents containing such information shall be served upon one another, to the extent practicable, in an electronically protected manner, even if such information is unable to be filed in the Office of the Clerk, so that no party or the Staff is impeded from preparing its case.

(3) As provided by § 12.1-31 of the Code and 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Commission's Rules of Practice, a Hearing Examiner is appointed to rule on any discovery matters that may arise during the course of this proceeding, including the Company's Motion for Protective Order.

⁴¹ 5 VAC 5-20-10 *et seq.*

(4) A hearing on the Application shall be convened at 1 p.m. on September 14, 2020, in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, to receive opening statements, testimony, and evidence offered by the Company, respondents, and the Staff on the Company's Application.

(5) An electronic copy of the public version of the Company's Application may be obtained by submitting a written request to counsel for the Company, Noelle J. Coates, Esquire, American Electric Power Service Corporation, 1051 East Cary Street, Suite 1100, Richmond, Virginia 23219, or njcoates@aep.com. Interested persons also may download unofficial copies of the public version of the Application and other documents filed in this case from the Commission's website: <http://www.scc.virginia.gov/case>.

(6) On or before May 14, 2020, the Company shall cause the following notice to be published as display advertising (not classified) on one occasion in newspapers of general circulation throughout the Company's service territory in Virginia:

NOTICE TO THE PUBLIC OF AN APPLICATION BY
APPALACHIAN POWER COMPANY
FOR A 2020 TRIENNIAL REVIEW OF ITS
BASE RATES, TERMS AND CONDITIONS
PURSUANT TO § 56-585.1 OF THE CODE OF VIRGINIA
CASE NO. PUR-2020-00015

- **Appalachian Power Company ("APCo") has filed its 2020 triennial review of its base rates, terms and conditions pursuant to § 56-585.1 of the Code of Virginia.**
- **APCo requests a revenue increase in the amount of \$65 million over current rates. According to APCo, this amount would result in an increase to residential rates of 6.5% over the rates in effect as of March 31, 2020. According to APCo, if the requested revenue increase is approved, the bill of a residential customer using 1,000 kilowatt hours per month would be \$120.40.**
- **The Commission will hear the case on September 14, 2020, at 1 p.m.**
- **Further information about this case is available on the SCC website at: <http://www.scc.virginia.gov/case>.**

On March 31, 2020, Appalachian Power Company ("APCo" or "Company") filed an Application with the State Corporation Commission ("Commission"), pursuant to § 56-585.1 of the Code of Virginia, requesting a triennial review of its rates, terms and conditions for providing generation, transmission, and distribution electric service.

Based on the Company's analysis of 2017-2019, the Company calculates that it earned a return on common equity ("ROE") of 8.24%, or \$23.6 million below the bottom end of its authorized return on equity range. APCo requests an increase of \$65 million in its annual revenue requirement – a 5% increase to overall revenues. Of the \$65 million total, the Company seeks to recover \$23.6 million over the period 2021-2023. The Company states that its requested revenue requirement would result in an increase in residential rates of 6.5% over the rates that are in effect as of March 31, 2020, resulting in a bill of \$120.40 for a residential customer using 1,000 kilowatt-hours ("kWh") of electricity.

The proposed rate increase is based on a proposed ROE of 9.9% and proposed new depreciation rates for certain of the Company's property. APCo also developed the proposed rates using a new class cost-of-service study. The Company's proposed revenue allocation eliminates an interclass subsidy existing in the generation function and allocates distribution function revenues to the classes so that all classes except LPS (Industrial) receive an equal percentage increase of 6.5%. APCo claims that the net effect of its proposed rates is that Industrial rates are unchanged in the aggregate but no longer subsidize other classes with regard to the generation function.

The Company's Application also requests approval of various changes to its current rate design, tariffs and terms and conditions of service, which the Company states are necessary to send better price signals within a customer class, clarify customer obligations and reflect the costs incurred to provide service. Specifically, APCo proposes to increase the Residential Basic Service Charge, which collects fixed customer costs, from \$7.96 per month to \$14.00 per month. The Company also proposes a new residential rate block for those using more than 1,100 kWh per month during December – February.

The Company proposes to close, open, and revise numerous rate schedules. Among other things, the Company proposes two new optional residential rate schedules available to customers with advanced metering infrastructure ("AMI") meters and a new AMI opt-out provision. APCo proposes to revise Rate Schedule Advanced Time-of-Day, the Company's peak-shaving (demand response) rider, its Standby Service Schedule, and its Economic Development Rider. The Company proposes to close or eliminate Rider D.R.S. – RTO Capacity (another demand response rider), Rider R.P.R. (a rider for the purchase of certain renewable energy certificates) and Rider E.R.C.R.S. (which addresses recovery of environmental controls on certain coal plants). APCo also proposes to eliminate its Large General Service schedule and combine customers receiving service under that schedule into the General Service Schedule.

The Company states that its proposals would better reflect the underlying cost of service, levelize customers' bills over the year, and reduce the burden on customers who heat their homes with electricity, including a large number of APCo's customers who receive energy assistance. According to APCo, even with the requested increase, customers who use electricity to heat their homes can expect, on average, to experience a decrease in their December – February bills as a result of the proposed residential rate design changes.

In response to the Commonwealth's move toward clean energy resources, APCo's Application includes a proposed new regulatory liability to accelerate, subject to annual adjustments, the recovery of its Amos and Mountaineer coal plants. Should the Commission not grant the entire \$65 million increase the Company seeks, APCo asks that it be allowed to fund this coal plant liability, up to a maximum of \$15 million annually, through proposed Rider CAR.

Interested persons are strongly encouraged to review APCo's Application and supporting documents in full for additional details about the proposals therein.

TAKE NOTICE: While the total revenue that may be approved by the Commission is limited to the amount produced by the Company's proposed rates, individual rates and charges ultimately approved by the Commission may be either higher than or lower than those proposed in the Application.

The Commission entered an Order for Notice and Hearing that, among other things, scheduled a hearing on September 14, 2020, at 1 p.m., in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, to receive opening statements, testimony, and evidence offered by the Company, respondents, and the Staff on the Company's Application.

The Commission has taken judicial notice of the ongoing public health emergency related to the spread of the coronavirus, or COVID-19, and the declarations of emergency issued at both the state and federal levels. In accordance therewith, all pleadings, briefs, or other documents required to be served in this matter should be submitted electronically to the extent authorized by 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"). Confidential and Extraordinarily Sensitive information shall not be submitted electronically and should comply with 5 VAC 5-20-170, *Confidential information*. For the duration of the COVID-19 emergency, any person seeking to hand deliver and physically file or submit any pleading or other document shall contact the Clerk's Office Document Control Center at (804) 371-9838 to arrange the delivery.

Pursuant to 5 VAC 5-20-140, *Filing and service*, of the Commission's Rules of Practice, the Commission has directed that service on parties and the Commission's Staff in this matter shall be accomplished by electronic means. Please refer to the Commission's Order for Notice and Hearing for further instructions concerning Confidential or Extraordinarily Sensitive Information.

An electronic copy of the public version of the Company's Application may be obtained by submitting a written request to counsel for the Company, Noelle J. Coates, Esquire, American Electric Power Service Corporation, 1051 East Cary Street, Suite 1100, Richmond, Virginia 23219, or njcoates@aep.com. Interested persons also may download unofficial copies of the public version of the Application and other documents filed in this case from the Commission's website: <http://www.scc.virginia.gov/case>.

On or before September 8, 2020, any interested person may file comments on the Application by following the instructions on the Commission's website: <http://www.scc.virginia.gov/case>. All comments shall refer to Case No. PUR-2020-00015. In light of the

ongoing public health emergency related to the spread of COVID-19, the Commission will subsequently schedule, to the extent practicable, oral public comment in this matter to be noticed via Commission order and accompanying news release.

On or before June 23, 2020, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation. Such notice of participation shall include the email addresses of such parties or their counsel. The respondent simultaneously shall serve a copy of the notice of participation on counsel to the Company. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice, any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation, or government body participating as a respondent must be represented by counsel as required by 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2020-00015.

On or before July 30, 2020, each respondent may file with the Clerk of the Commission and serve on the Staff, the Company, and all other respondents, any testimony and exhibits by which the respondent expects to establish its case, and each witness's testimony shall include a summary not to exceed one page. In all filings, respondents shall comply with the Commission's Rules of Practice, including, but not limited to: 5 VAC 5-20-140, *Filing and service*, and 5 VAC 5-20-240, *Prepared testimony and exhibits*. All filings shall refer to Case No. PUR-2020-00015.

Any documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified by the Commission's Order for Notice and Hearing, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

The public version of the Company's Application, the Commission's Rules of Practice and the Commission's Order for Notice and Hearing may be viewed at <http://www.scc.virginia.gov/case>.

APPALACHIAN POWER COMPANY

(7) On or before May 14, 2020, the Company shall serve a copy of this Order for Notice and Hearing on the following local officials, to the extent the position exists, in each county, city, and town in which the Company provides service in the Commonwealth of Virginia: the chairman of the board of supervisors of each county; the mayor or manager (or equivalent official) of every city and town; and the county, city, or town attorney. Service shall be made by either personal delivery or first class mail to the customary place of business or residence of the person served.

(8) On or before May 28, 2020, the Company shall file with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118, proof of the notice and service required by Ordering Paragraphs (6) and (7), including the name, title, and address of each official served.

(9) On or before September 8, 2020, any interested person may file comments on the Application by following the instructions on the Commission's website: <http://www.scc.virginia.gov/case>. All comments shall refer to Case No. PUR-2020-00015. In light of the ongoing public health emergency related to the spread of COVID-19, the Commission will subsequently schedule, to the extent practicable, oral public comment in this matter to be noticed via Commission order and accompanying news release.

(10) On or before June 23, 2020, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation. Such notice of participation shall include the email addresses of such parties or their counsel. The respondent simultaneously shall serve a copy of the notice of participation on counsel to the Company. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice, any notice of participation shall set forth: (i) a precise statement of the interest of the

respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation, or government body participating as a respondent must be represented by counsel as required by 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2020-00015.

(11) Within five (5) business days of receipt of a notice of participation as a respondent, the Company shall serve a copy of the public version of its Application on the respondent.

(12) On or before July 30, 2020, each respondent may file with the Clerk of the Commission and serve on the Staff, the Company, and all other respondents, any testimony and exhibits by which the respondent expects to establish its case, and each witness's testimony shall include a summary not to exceed one page. In all filings, respondents shall comply with the Commission's Rules of Practice, as modified herein, including, but not limited to:

5 VAC 5-20-140, *Filing and service*, and 5 VAC 5-20-240, *Prepared testimony and exhibits*.

All filings shall refer to Case No. PUR-2020-00015.

(13) On or before August 13, 2020, the Staff shall investigate the Application and shall file with the Clerk of the Commission an original and fifteen (15) copies of its testimony and exhibits concerning the Application, and each Staff witness's testimony shall include a summary not to exceed one page. The Staff shall serve a copy thereof on counsel to APCo and all respondents.

(14) On or before August 28, 2020, APCo shall file with the Clerk of the Commission any rebuttal testimony and exhibits that it expects to offer, and each rebuttal witness's testimony shall include a summary not to exceed one page. The Company shall serve a copy of its rebuttal testimony and exhibits on the Staff and all respondents.

(15) Any documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified by Ordering Paragraph (1), all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

(16) The Commission's Rule of Practice 5 VAC 5-20-260, *Interrogatories to parties or requests for production of documents and things*, shall be modified for this proceeding as follows: responses and objections to written interrogatories and requests for production of documents shall be served within seven (7) calendar days after receipt of the same. In addition to the service requirements of 5 VAC 5-20-260 of the Rules of Practice, on the day that copies are filed with the Clerk of the Commission, a copy of the interrogatory or request for production shall be served electronically, or by facsimile, on the party to whom the interrogatory or request for production is directed or the assigned Staff attorney, if the interrogatory or request for production is directed to the Staff.⁴² Except as modified herein, discovery shall be in accordance with Part IV of the Commission's Rules of Practice, 5 VAC 5-20-240 *et seq.*

(17) This matter is continued.

A COPY hereof shall be sent electronically by the Clerk of the Commission to all persons on the official Service List in this matter. The Service List is available from the Clerk of the Commission.

⁴² The assigned Staff attorney is identified on the Commission's website, <http://www.scc.virginia.gov/case>, by clicking "Docket Search," then clicking "Search by Case Information," and entering the case number, PUR-2020-00015 in the appropriate box.